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**Attorneys for Defendant  
QUEST DIAGNOSTICS INCORPORATED**

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION**

## MEDSQUIRE, LLC

**Plaintiff,**

vs.

## SPRING MEDICAL SYSTEMS, INC. et al.,

### Defendants.

**Case No. CV11-4504-JHN (PLAx)**

**JOINT STIPULATION TO  
CONTINUE THE HEARING ON  
DEFENDANT QUEST  
DIAGNOSTICS, INC.'S  
MOTION AND MOTION TO  
DISMISS UNDER FED. R. CIV. P.  
12(b)(6)**

Old Date: August 22, 2011

**New Date:** September 12, 2011

Time: 2:00 p.m.

Courtroom: 790

Judge: Hon. Jacqueline H. Nguyen

1           **WHEREAS** on July 18, 2011, Defendant Quest Diagnostics Incorporated  
 2 (“Quest”) filed a Motion to Dismiss Plaintiff Medsquire LLC’s (“Plaintiff” or  
 3 “Medsquare”) Complaint under Fed. R. Civ. P. 12(b)(6) for failure to state a claim  
 4 (Doc. No. 41) (“Motion”), which is incorporated herein by reference;

5           **WHEREAS** the hearing on the Motion was previously noticed for August 22,  
 6 2011, at 2:00 p.m. to be heard in the Courtroom of the Hon. Jacqueline H. Nguyen,  
 7 located at Courtroom 790, Roybal Federal Building, 255 East Temple Street, Los  
 8 Angeles, CA 90012 (*see* Doc. No. 41);

9           **WHEREAS** various defendants have joined the Motion<sup>1</sup>;

10          **WHEREAS** on August 1, 2011, Plaintiff filed an Opposition to the Motion  
 11 (Doc. No. 65);

12          **WHEREAS** counsel for Plaintiff has requested that the hearing be rescheduled  
 13 as he is scheduled to be out of the country on August 22, 2011, and counsel for Quest  
 14 has agreed to reschedule;

15          **WHEREAS** the Court’s next available hearing date after August 22, 2011, is  
 16 September 12, 2011; and

17          **WHEREAS** Quest filed a re-notice of the hearing date on August 8, 2011 (Doc.  
 18 No. 66) but is informed that a stipulation and proposed order are necessary,

19          **THEREFORE**, Medsquire and Quest, through their respective counsel, hereby  
 20 stipulate to and request this Court to continue the hearing on Quest’s Motion to  
 21 Dismiss to Monday, September 12, 2011, at 2 p.m.

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 26          <sup>1</sup> The defendants joining in Quest’s motion are Hewlett-Packard Company, Nextgen  
 27 Healthcare Information Systems, Henry Schein Medical Systems, EClinical Works,  
 28 Med3000, Pulse Systems, Compulink Business Systems, Navinet, SucessEHS,  
 AthenaHealth, and Aprima Medical Software.

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2 Dated: August 8, 2011  
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Respectfully Submitted,  
HENNIGAN DORMAN LLP

4 By: /s/ Larry M. Hadley  
5 Larry M. Hadley  
6 Attorney for Plaintiff  
7 MEDSQUIRE, LLC  
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BAKER & McKENZIE LLP

8 By: /s/D. James Pak  
9 D. James Pak  
10 Attorney for Defendant  
11 QUEST DIAGNOSTICS INCORPORATED  
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